

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Paul Andrew Evans  
Serial No. : 10/567,734  
Filed : February 2, 2007  
For : APPARATUS AND METHOD FOR SENDING DATA  
OVER A COMMUNICATIONS NETWORK  
Attorney's Docket : DUMMETT-043XX  
Examiner : Khoa B. Huynh  
Group Art Unit : 2416

---

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97 and 1.98

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 CFR 1.98

Pursuant to 37 CFR 1.98(a), this Information Disclosure Statement includes PTO Form 1449 listing all patents, publications, applications, or other information submitted for consideration by the Office and a copy of each patent, publication, application, or other information.

FILING OF INFORMATION DISCLOSURE STATEMENT 37 CFR 1.97

Filed Under 37 CFR 1.97(b)

[ ] Pursuant to 37 CFR 1.97(b), this Information Disclosure Statement is being filed within (1) three months of the filing date of the above identified application, (2) within three months

In re: Paul Andrew Evans  
Filed: February 2, 2007  
Serial No.: 10/567,734  
Page 2

of the entry of the national stage of the above identified application, (3) before the mailing date of the first office action on the merits, or (4) before the mailing date of the first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Accordingly, applicant(s) submits that no fee or certification is required.

Filed Under 37 CFR 1.97(c)

[X] Pursuant to 37 CFR 1.97(c), this Information Disclosure Statement is being filed after the period specified in 37 CFR 1.97(b) and before the mailing date of any of a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. Accordingly, applicant(s) submits either a Statement Under 37 CFR 1.97(e) or the fee set forth in 37 CFR 1.17(p), as indicated below.

Filed Under 37 CFR 1.97(d)

[ ] Pursuant to 37 CFR 1.97(d), this Information Disclosure Statement is being filed after the period specified under 37 CFR 1.97(c) and on or before payment of the issue fee. Accordingly, applicant(s) submits both a Statement Under 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p), as indicated below.

In re: Paul Andrew Evans  
Filed: February 2, 2007  
Serial No.: 10/567,734  
Page 3

STATEMENT UNDER 37 CFR 1.97(e)  
(check one)

[X] The undersigned submits that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

[ ] The undersigned submits that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

FEE SET FORTH IN 37 CFR 1.17(p)

[X] The information disclosure statement fee of \$180.00 set forth in 37 CFR §1.17(p) is enclosed herewith.

In re: Paul Andrew Evans  
Filed: February 2, 2007  
Serial No.: 10/567,734  
Page 4

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-3285.

Respectfully submitted,

Paul Andrew Evans

By

  
Daniel J. Bourque, Esquire  
Registration No. 35,457  
Attorney for Applicant(s)

BOURQUE & ASSOCIATES, P.A.  
835 Hanover Street, Suite 301  
Manchester, New Hampshire 03104

Telephone: (603) 623-5111  
Facsimile: (603) 624-1432

Date: 2-28-07